

**Executive Committee for Highway Safety
Speed Working Group
Meeting Minutes; Mtg. #6
February 16, 2005**

Location:

Triangle Transportation Management Center, Trenton Road @ 1:00 p.m.

Committee Members in Attendance:

Kevin Lacy
Doug Robertson

Joe Geigle
Cliff Braam

Cpt. Glidewell
Haywood Daughtry

Charlie Jones

Scribe:

Cliff Braam

Minutes:

- The meeting began at approximately 1:05 p.m.

Task I – Update Meeting w/ District Attorney

On January 13, 2005, several members of the Speed Working Group (Joe, Kevin, Will and Cliff) met with Forsyth County district attorney, Tom Keith, to discuss the challenges faced by the courts. The meeting was very enlightening and generated several ideas for possible future strategies.

Tom has in place a system similar to the Safe Speed strategy that has been drafted by this group to administratively handle certain types of citations (speeding under 15 mph over, court date continuances and in compliance citations including registration, license plates, insurance). He is processing approximately 1,000 citations twice a week using this system. Under this system, he reduces the number of citations going to district court to around 150 twice a week.

One main problem with this system involves the in compliance dismissals which comprise about 40% of all citations. Presently, for these dismissals, no court fees are collected, even though these require resources to process and administer. If half of the normal court fees or \$50.00 per citation could be collected, this would provide enough resources to allow Tom to double his staff.

Tom is concerned about how the present system is being run and that the Judges are actually “in charge”. This is the broken part of the system that Tom feels needs to be fixed. Judges are elected officials and typically, their biggest campaign contributors are the lawyers they deal with. This presents a situation where a judge potentially allows more discretion for an attorney’s client, if that attorney is a big supporter. The judge doesn’t want to bite the hand that feeds him so to speak.

If Tom spends more effort on traffic citations, then he must pull these resources from other types of cases since he has a limited amount of staff for the court rooms. The system is so over loaded at the present time, that Tom said it is not uncommon to plea second degree murder cases due to lack of sufficient resources to prosecute.

There were other discussions that generated possible ideas for additional strategies. These are listed below.

Task II – Old Business/Review of Strategies

SAFE SPEED ACT

This strategy was presented to the ECHS at the October meeting and it was decided that this needed further development. Part of the problem may have been that due to a lack of time at the ECHS meeting, there was not much time for full discussion of this strategy.

The group decided that it would be a good idea to talk to different district attorneys to get their input and feedback on this strategy. Assignments were made; see the Action Items below.

NO NEED 2 SPEED

Kevin vowed to get Darrell to a meeting before long to give the group a thorough overview of this program. In the mean time, Kevin said that funds have been identified to put this effort into action and that the pilot program should get started within the next few months. DOT is putting up approximately \$250,000 - \$300,000 for the pilot phase of this project.

HOUSE BILL 135 – MV ACCIDENT IMPACT FEES

Kevin made the group aware of the above bill which will require the guilty party to pay an accident impact fee of \$500 if they are involved in an accident that was a result of a violation of the aggressive driving general statute (G.S. 20-141.6), if the accident was investigated by the State Highway Patrol.

Cliff has contacted the legislative liaisons for the Department of Crime Control and they were unaware of this bill, but said that they would likely follow the governor's lead on it.

The group discussed that this was not a bad idea, but that the assessment of an accident impact fee should not be limited to one investigating agency or one type of violation as a causal factor. It was decided that the group should explore integrating this bill with the previously drafted strategy "Fees to Increase Enforcement". See Action Items below for assignment.

DRAFTED STRATEGIES:

There was brief discussion on the remaining agenda items, mainly past and future strategies. Most of these were assigned to group members for further action. Below is a brief description of each. See the Action Items for individual assignments.

TARGET CMV ENFORCEMENT

At the last meeting, it was discussed that this strategy should be reviewed with the N.C. Trucking Association prior to moving forward with it. This has been assigned as an Action Item.

PACE CAR PROGRAM

No action Taken

FEES TO INCREASE ENFORCEMENT

Look to possibly incorporate this with House Bill 135 which has recently been introduced. This has been assigned as an Action Item.

POTENTIAL NEW STRATEGIES

COURT COST FOR COMPLIANCE DISMISSALS

As mention above, presently for these types of cases that are handled administratively, there are no court cost paid by the defendant. However, there is still a large amount of resources dedicated to processing and administering these types of citations. In Forsyth county, these types of citations account for roughly 40% of all citations. It was decided that this should be drafted into a strategy. This has been assigned as an Action Item.

Adding Fines to PJC w/o Adding Insurance Points

Under the present structure, if a fine is assigned to a citation that receives a PJC, then the defendant will also receive insurance points for the violation. The group may want to explore changing the present structure so that fines can be assessed to PJC convictions in an effort to increase resources.

UPDATING THE DMV DATABASE TO REFLECT IMPROPER EQUIPMENT CONVICTIONS

In Tom's administrative process, the defendant, must bring a copy of their driving record to court and in order for them to receive a reduced charge (for speed related citation) their record must be clean. Often the charge is reduced to an "improper equipment" violation. However, at the present time, DMV does not record these types of violations on an individuals driving record. Therefore, if the defendant has received a similar reduction before, the courts have no way of knowing this. This effort would change the DMV database to reflect prior convictions of improper equipment violations. This has been assigned as an Action Item.

CAMERAS IN THE COURTROOMS

One idea that Tom had to "keep the judges honest" was to install cameras in the courtrooms and broadcast the proceedings on TV. This would keep the public informed as to how judges handled their cases.

DIFFERENTIATING BETWEEN REVOKED LICENSE (DWI VS. OTHER)

Tom said that currently if someone is revoked, the courts do not have a way of knowing why they were revoked. He said that someone revoked for DWI was much different than a college kid who got a ticket on a trip, forgot to go to court and wound up revoked. This idea would provide a way to differentiate between the different offenses. This has been assigned as an Action Item.

HIGHWAY SAFETY CORRIDORS

Virginia has enacted legislation for highway safety corridors which carry increased fines for speeding and other moving violations. It was discussed that we should explore a similar type of concept. This has been assigned as an Action Item.

See the following link for more information:

<http://www.virginiadot.org/comtravel/ct-highway-safety-corridor.asp>

Task III – What’s Next?

See list of Action Items below. These are to be completed in preparation for the next meeting.

- The meeting was adjourned at 2:30 p.m.

Action Items:

Name	Item
Cliff	Send group latest copy of the Safe Speed Act
Various	Discuss the Safe Speed Act with Various District Attorneys Kevin – 2 retire D.A.’s Doug - Jim Harden Charlie – Mecklenburg D.A. Cpt. Haggist – Gaston D.A. Haywood – Tom Lock
Cliff	Rewrite House Bill 135 with suggested changes from the meeting and provide to Kevin.
Kevin	Discuss revised HB 135 with Susan Coward; DOT’s Legislative Liaison.
Kevin	Contact Rosa Gill about getting the Improper Equipment violations reflected in the DMV database.
Will	Draft strategy for Court Cost for Compliance Dismissals and send to the group for review prior to the next meeting.
Ron H.	Discuss the “Target CMV Enforcement” strategy with the NC Trucking Association and get their input/feedback. Also explore possible funding sources (MCSAP).
Kevin	Check with DMV on how various revoked license situations can be differentiated.
Joe	Further investigate the Highway Safety Strategy corridors. Coordinate with Tony Wyatt for additional information/help.
Darrell	Get Darrell a the next meeting to present his “No Need 2 Speed” program.

NEXT MEETING: March 17, 2005; TMC Conference Room, 1:00 – 3:00